



House of Representatives

File No. 852

General Assembly

January Session, 2013

(Reprint of File No. 501)

Substitute House Bill No. 5844
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 24, 2013

AN ACT CONCERNING THE OVERNIGHT TETHERING OF DOGS OUTDOORS AND THE TETHERING OF DOGS OUTDOORS UNDER CERTAIN WEATHER CONDITIONS.

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Section 22-350a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2013*):

3 (a) No person shall tether a dog to a stationary object or to a mobile
4 device, including, but not limited to, a trolley or pulley by means of: [a:
5 (1) Tether] (1) A tether that does not allow such dog to walk at least
6 eight feet, excluding the length of such dog as measured from the tip
7 of such dog's nose to the base of such dog's tail, in any one direction,
8 (2) a tether that does not have swivels on both ends to prevent twisting
9 and tangling, unless [the owner or keeper of such dog] a person is in
10 the presence of such dog, (3) a coat hanger, choke collar, prong-type
11 collar, head halter or any other collar, halter or device that is not
12 specifically designed or properly fitted for the restraint of such dog, (4)
13 a tether that has weights attached or that contains metal chain links
14 more than one-quarter of an inch thick, or (5) a tether that allows such

15 dog to reach an object or hazard, including, but not limited to, a
16 window sill, edge of a pool, fence, public road or highway, porch or
17 terrace railing that poses a [substantial] risk of injury or strangulation
18 to such dog if such dog walks into or jumps over such object or hazard,
19 unless [the owner or keeper of such dog is on the premises] a person is
20 in the presence of such dog. The provisions of subdivisions (1) and (2)
21 of this subsection shall not be construed to apply to: (A) Any
22 veterinary practice licensed pursuant to section 20-197 that tethers a
23 dog in the course of such veterinary practice, (B) any exhibition, show,
24 contest or other temporary event in which the skill, breeding or
25 stamina of such dog is judged or examined, (C) any exhibition, class,
26 training session or other temporary event in which such dog is used in
27 a lawful manner to hunt a species of wildlife during the hunting
28 season for such species of wildlife or in which such dog receives
29 training in a lawful manner to hunt such species of wildlife, (D) the
30 temporary tethering of a dog at any camping or recreation area as
31 expressly authorized by the Commissioner of Energy and
32 Environmental Protection, or (E) the temporary tethering of a dog at a
33 grooming facility in the course of grooming such dog.

34 (b) No person shall tether a dog outdoors to a stationery object or to
35 a mobile device, including, but not limited to, a trolley or a pulley,
36 when a weather advisory or warning is issued by local, state or federal
37 authorities or when outdoor environmental conditions, including, but
38 not limited to, extreme heat, cold, wind, rain, snow or hail, pose an
39 adverse risk to the health or safety of such dog based on such dog's
40 breed, age or physical condition, unless tethering is for a duration of
41 not longer than fifteen minutes.

42 [(b)] (c) Nothing in this section shall be construed to affect any
43 protection afforded to any dog pursuant to any other provision of the
44 general statutes, regulations of the Connecticut state agencies, local
45 ordinance or local regulation.

46 [(c)] (d) Any person who confines or tethers a dog for an
47 unreasonable period of time or in violation of the provisions of

48 subsection (a) or (b) of this section shall be fined one hundred dollars
49 for the first offense, two hundred dollars for a second offense, and not
50 less than two hundred fifty dollars or more than five hundred dollars
51 for a third or subsequent offense.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2013	22-350a

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 14 \$	FY 15 \$
Department of Agriculture	GF - Potential Revenue Gain	Less than 10,000	Less than 10,000

Municipal Impact: None

Explanation

The amendment strikes the underlying bill and its associated fiscal impact.

Currently, people are prohibited from tethering dogs to stationary objects or other mobile devices under certain conditions and subjects violators of these provisions to a tiered system of fines. The amendment expands this tethering prohibition and subjects violators to these fines. This could result in a minimal revenue gain to the state, anticipated to be less than \$10,000 annually.

House "A" replaces the underlying bill with the expanded tethering provisions which result in the potential revenue gain described above.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation and the number of violations.

OLR Bill Analysis**sHB 5844 (as amended by House "A")******AN ACT CONCERNING THE OVERNIGHT TETHERING OF DOGS OUTDOORS AND THE TETHERING OF DOGS OUTDOORS UNDER CERTAIN WEATHER CONDITIONS.*****SUMMARY:**

This bill expands prohibitions on tethering dogs outdoors. Specifically, it prohibits tethering a dog outdoors to a stationary object or mobile device, such as a trolley or pulley, when (1) local, state, or federal authorities issue a weather advisory or warning or (2) weather (e.g., extreme heat, cold, wind, rain, snow, or hail) poses an adverse risk to the dog's health or safety based on its breed, age, or physical condition. But it allows a person to tether a dog outdoors in these conditions if the tethering lasts no longer than 15 minutes. It subjects violators to a fine of (1) \$100 for a first offense, (2) \$200 for a second offense, and (3) between \$250 and \$500 for subsequent offenses.

The bill also makes miscellaneous changes to the existing tethering prohibition. Unless the dog's owner or keeper is on the premises, current law prohibits attaching a dog to a tether that allows the dog to reach an object (e.g., a window sill, pool edge, fence, porch, or terrace railing) if the dog has a substantial risk of being injured or strangled if it jumps over the object. The bill also prohibits attaching a dog to a tether that allows the dog to reach a hazard, including a public road or highway into which the dog could walk. It prohibits tethering a dog near an object or hazard that poses any risk, instead of substantial risk, of injuring or strangling the dog if it jumps over or walks into the object or hazard. Lastly, it provides for an exception to these prohibitions if anyone is in the dog's presence, instead of the dog's keeper or owner being on the premises.

*House Amendment "A" replaces the underlying file, which (1) prohibited tethering dogs outdoors overnight or in extreme heat or cold and (2) made miscellaneous changes to the current tethering prohibition.

EFFECTIVE DATE: July 1, 2013

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 27 Nay 1 (03/27/2013)